GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District – Allegations of irregularities in recommending for sanction and also payment of ex-gratia to fake D-patta holders of the lands to an extent of Ac.29.94 Cts covered by Rs No.106 to 111 of Gubbalampalem chinaramanayyapeta village without conducting proper verification and enquiry - Misappropriation of Government funds to a tune of Rs.2,24,55,000/- – Disciplinary proceedings under rule – 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Articles of charge – Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.RT.No. 256 **Dated: 21-03-2025**

Read:

G.O.Ms.No.228, Revenue (Vig.I) Dept., Dt.31.05.2023

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ORDER:

It is proposed to hold an enquiry against Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III)

3. Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar,

Devipatnam Mandal of Alluri Sitharama Raju Districtis aware of such a representation and that it has been made at his instance and action will be taken against her for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

To
Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District. (Through the Chief Commissioner of Land Administration, A.P., Mangalagiri for service and to return the served copy with dated acknowledgement immediately (By RPAD))
The Chief Commissioner of Land Administration, A.P., Mangalagiri
Copy to:
The District Collector, Alluri Sitharama Raju District.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-1

STATEMENT OF ARTCLES OF CHARGES FRAMED AGAINST SRI MADAKAM LAKSHMANARAO, MANDAL SURVEYOR, TAHSILDAR'S OFFICE, DEVIPATNAM MANDAL AND PRESENTLY WORKING AS MANDAL SURVEYOR, O/O TAHSILDAR, DEVIPATNAM MANDAL OF ALLURI SITHARAMA RAJU DISTRICT.

Article-1:

Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District has failed to verify the Information regarding D Pattas as called for by the SDC LMC Unit-1, Polavaram Irrigation Project Rajamahendravaram which in tum entrusted by the Tahsildar for verification with reference to subdivision record /8A Register/FMBs etc., and on ground status and simply signing over on the confirmation reports in 12 columns proforma in favour of the persons who possessed fake D-Pattas as assignees to get benefitted illegally from Government exchequer irregularly. Hence the charge

Article-2:

Sri Madakam Lakshmana Rao, Mandal surveyor, Tahsildar's Office, Devipatnam Mandal and presently working as Mandal Surveyor, O/o Tahsildar, Devipatnam Mandal of Alluri Sitharama Raju District has submitted the 12 columns format without conducting field verification duly confirming the possession and enjoyment of ineligible persons at Column No.9 and mentioned the relationship to the original pathadar at Column No 10 as "D-Form Patta" and also recommended the names of ineligible persons to receive the compensation (Column .11) and with remarks at Column No. 12 as casuarinas and mango topes without following the prescribed procedure which comes under violation of performing legitimate duties and caused misappropriation of Government funds which is unbecoming of Government servant and attracts penal action. Hence the charge.

R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI MADAKAM LAKSHMANARAO, MANDAL SURVEYOR, TAHSILDAR'S OFFICE, DEVIPATNAM MANDAL AND PRESENTLY WORKING AS MANDAL SURVEYOR, O/O TAHSILDAR, DEVIPATNAM MANDAL OF ALLURI SITHARAMA RAJU DISTRICT

Sri Mulla Marri reddy and others of Gubbalampalem Village, H/o of Devipatnam Mandal have filed a complaint petition before the District Collector Wherein stating that Komali Kishore Satyanarayana; Mundru Madhusudhana rao, Sirasam Peddabbulu Matta Rambabu, have got land compensation irregularly under Polavaram Irrigation Project land Acquisition for an extent of Ac.29.94 Cts., covered by R.Sy.No.106 to 111 of Gubbalampalem, H/o Chinaramanayyapeta Village without any valid proofs. They have further complained that the Tahsildar, Devipatnam and village Revenue Officers are colluded in this illegal activities and taken also these officers are threatening that the petitioner's caste certificates will be cancelled if this matter comes into light and finally the complainants have requested to do justice in the matter. Then the District Collector, Alluri Sitharama Raju District has issued marginal instructions to the Project Administrator, Polavaram Irrigation Project to conduct personal inquiry and take necessary action in the matter.

In this regard, the Project Administrator & Ex-officio Joint Collector, Polavaram Irrigation Project, Rajamahendravaram has conducted inquiry with reference to the complaint made by the petitioners and as per the available material evidences and also examined the petitioners, delinquent officers and submitted his detailed report on 14.05.2022 and further report on 20.05.2023.

The Special Deputy Collector, L.A., LMC-1, Polavaram Irrigation Project Rajamahendravaram, has addressed a letter to the TahsildarDevipatnam along with proforma vide Ref C/27/2021, dt.10.05.2021, that certain lands have been shown to be assignment lands through the Assignment pattas produced by the claimants and these lands have to be required for resumption for Polavaram Irrigation Project and requested to confirm the Assignment Pattas and also send the details of claimants for payment of ex-gratia under Polavaram Irrigation Project as follows.

Sl. No.	R.S.No	Extent Ac. Cts	Name of the person who requires to get compensation
1	106	5.78	ChedalaRatna kumara, W/o Balureddy
2	110	3.20	SrikakulapuLachanna, S/o Mallayya
3	110/A	4.00	BadhamKannappa Dora, S/o Venkanna Dora
4	110/B	4.00	TurmamSatyanarayan Dora, S/o Bulli Dora
5	110/C	4.00	KursamChinnabbai Dora, S/o Venakanna Dora
6	110/D	6.00	KunjamaNaganna Dora, S/o Venakanna Dora
7	111/5	2.96	MullaSanjeeva Reddy, S/o Chinnapu Reddy
	Total	29.94	

The Tahsildar, Devipatnam, Sri M.Veeraju in his Ref.B/229/2021, dazed 06.07.2021 has submitted a report to the Special Deputy Collector (LA)Polavaram Irrigation Project, LMC unit-1, Rajamahendravaram stating that the D Patta (Assignment) lands covered by S.No's 106,110/A, 110/B, 110/C, 110/D, 111/2, 111/5 of Chinaramanayyapeta, Devipatnam Mandal were got verified by the VRO, China Ramanayyapeta and MRI, Devipatnam with reference to records and submitted the details in the prescribed 12 columns proforma in separate sheets for each survey number for taking further action.

After receipt of the report from the Tahsildar, Devipatnam, the Special Deputy Collector, LMC, Unit-1, Rajamahendravaram has passed resumption orders vide proceedings Ref.C/27/2021, dt.17.7.2021 duly directing the TahsildarDevipatnam, for resuming the lands from the above assignees for an extent of Ac.29.94cts under survey numbers 106 etc., with extents against each assignee. Further, the SDC (LA), LMC-1, PIP has submitted Ex-gratia proposals to a tune of Rs.2,24,55,000/- (Rupees

Two crores twenty-four lakhs and fifty-five thousands) to the Special Colector, L.A., PIP., Rajamahendravaram for sanction of ex-gratia payment to the above lands.

Then the Special Collector, LA., PIP., Rajamahendravaam has issued proceedings vide Ref.B1/155/2021, dt. 26.07.2021 by sanctioning the ex gratia for the above extents Ac.29.94cts in Sy.No.106 etc., as per the market value approved @ Rs.2.50/-lakhs per acre, multiple with 1.50 (multiplication factor in agency areas) + 100% solatium only in which the total ex-gratia payment is reached to a tune of Rs.2,24,55,000/- (Rupees Two crores twenty-four lakhs and fifty-five thousands) in Tot.

After examination of the contents of the petition, deposition of the petitioners, deposition of the Tahsildar and on perusal of the records produced by the Tahsildar, Devipatnam, SDC, LMC Unit-1, Rajahmundry and Provisions laid down under BSO 15 assignment rules, LARR ACT-2013, the following observations and findings made by the Inquiry officer.

Finding-1

As could be seen from the Web land Adangal, the land under dispute in Sy.No's 106, 110, 111/5, the following details are found.

R.S.No.106:

Sy.No.	Total Extent	Extent not fit for cultivation	Land nature	Land Details	Khata No	Pattadar Name S/o W/o	Enjoyer name S/o W/o
2	3	4	6	8	11	12	13
106	5.7800	5.7800	Govt Land	AWD Gayalu	20000608	AWD Gayalu	AWD Gayalu

R.S.No.106:

Sy.No.	Total Extent	Extent not fit for cultivation	Land nature	Land Details	Khata No	Pattadar Name S/o W/o	Enjoyer name S/o W/o
110	21.2800	21.2800	Govt Land	AWD Gayalu	20000608	AWD Gayalu	AWD Gayalu

The above extent is joint with 4 members and no sub division was done and not aware of entry in online web land.

R.S.No.111/5:

Sy.No.	Total Extent	Extent not fit for cultivation	Land nature	Land Details	Khata No	Pattadar Name S/o W/o	Enjoyer name S/o W/o
111-5	2.9600	0.0000	Govt Land	AWD Gayalu	20000608	AWD Gayalu	AWD Gayalu

It is pertinently evident that the names of the 7 assignees (fake) who have been paid land compensation through resumption orders are not assignees and their names were not reflected in web land records.

Finding-2

While the time of passing resumption orders of the assigned lands, the SDC (LA) PIP, LMC unit-1 has to conduct the following checks.

Sl.No.	Checks verifications mandatory before passing	Whether the officer concerned has followed the procedure or not
1	Verification of Assignment register	As could be seen from the records neither SDC., nor his staff have done verification of beneficiaries assignees said to have been reported by the

		Tahsildar., were covered in the assignment register and whether they are approved assignees or not. It is bounded duty of the SDC and his staff before passing the resumption orders but they failed to do so.
2	It is bounded duty of the SDC., and his staff to verify the A-Register as whether the changes have been varied out in A-Register/Fair Adangal /8A Register and sub Division Record.	But the same exercise was not done by the SDC., and his staff. As could be seen from the A-Register / Web land records the lands stands classified as GP and no assignment particulars appeared. The same was not observed and simply passed the resumption orders which seems that negligence on the part of the SDC., and his staff members.
3	It is bounded duty of the Tahsildar to submit the information after field verification and verification of records i.e., assignment register/ sub division record/ IB/Adangal /web land/ A-Register.	The Tahsildar Devipatnam, has failed to verify the said records and simply reported in favour of the persons who possessed fake pattas are assignees on simply relying on the report made by the VRO, Chinaramanayyapeta without verifying any records which shows his dereliction and negligence in performing of Government duties and caused misappropriation of Government funds which attracts penal action.
4	According Sec. 30 of LARR Act of 2013, there is a specific guideline issued that the land compensation to the D-Pattadars shall be paid on par with pattadars	Had the SDC, LMC-1, gone through or examined said provision he would not have resumed the lands and go for land acquisition provision by publication of PN., and acquire the said land as per the LA RR Act. The SDC has failed to follow the LA RR guidelines.
5	It is the duty of Special Collector (LA), while the time of according financial concurrence whether the proposal submitted by the SDC is in accordance with the provisions of the LA rules and assignment rules.	The Special Collector (LA) has fialed to observe the same and simply accorded financial concurrence without observing of provision under LARR Act Had the Special Collector (LA) has examined the proposal submitted by the SDC, he could have not accorded financial concurrence and to avoid misappropriation of Government funds from the Government exchequer.

Finding No 3

It is bounded duty of the TahsildarDevipatnam, and SDC (LA). PIP, LMC Unit-1. Rajahmundry to inspect the lands which fall under Polavaram Irrigation Project before passing resumption order Moreover, the TahsildarDevipatnam has verify the report submitted by the subordinate officers with reference to revenue cords i.e. Assignment register. No 3 Adangal, Fair Adangal, 8A Register and WeblandAdangal and then only he has to certify that the assignees are genuine, but he simply submitted a report to the SDC(LA), PIP, LMC Unit-1 in 12 columns format without following the prescribed procedure which comes under violation of performing of legitimate duties.

Finding No 4

It is also observed that the SDC (LA), PIP, LMC Unit-1, RJY who wish to resume the lands covered under Polavaram Irrigation Project area should have Inspected with reference to Revenue records and also conduct a Gramasabha and Explain the beneficiaries for reasons of resumption and also inform them to receive the ex-gratiashall be sanctioned under provisions of the LARR act. Neither the Tahsildar nor the SDC (LA) and his staff have followed the prescribed procedure laid down' under BSO15 and other guidelines issued by the Government. No. procedure as explained above was conducted by SDC LMC-Unit-1 and passed benefits to fake beneficiaries. Since the Resumption orders was passed without giving scope for Grama Sabha enquiry and was passed before the retirement of SDC, LMC-Unit-1, it is hereby informed that there has been a procedural lapse, giving scope to mischief of public exchequer, which cannot be ruled out.

Finding No. 5

After observing the above facts, it is construed that the lands in Survey Number 106 etc measuring to an extent of Ac. 29.94Cts., stands classified as Government assessed waste and it is under possession and enjoyment of the ancestors of the petitioners as per their deposition. It is also proved that the land compensation to whom have been paid are fake patta holders and no pattas have been given to them in the land under reference The Tahsildar Devipatnam, has confirmed in his deposition that the persons who were received land compensation through resumption orders passed by the SDC LMC -1. are fake patta holders and the signatures on the pattas have been compared with the signatures of previous Tahsildars worked during the year 1988, 2005 and 2006 and the same were not tallied.

In this instance, the Tahsildar has produced two contradicting Reports-One report confirming the enjoyment of the members on the land on the other hand it is found out that the lands were already submerged in 2021 and hence it was impossible to have visited the ground to establish possession.

The Tahsildar has deposed that the VRO has failed to mention the real facts, but it shows mere shifting the responsibility on others in order to escape from liability It is clearly proved that the Tahsildar has colluded with middlemen and has obtained undue benefits by ignoring the fake - D Pattas and confirming the fake D- pattas to SDC, LMC Unit-1 by submitting a false report. Hence right from Village Revenue Officer till Tahsildar have colluded with the middlemen to create fake D Pattas to receive undue compensation.

The Tahsildar has deposed that there was an oversight in confirming the genuine beneficiaries which upon finding the facts proves to be completely baseless The Mandal revenue officer is endowed with the responsibility of safeguarding the interests of the public with their rights over the lands. In this case, it is proved beyond doubt there is a significant collusion by the Tahsildar and the revenue staff with the middlemen (Non Tribals) and sheer negligence in safeguarding the interest of the tribals and public exchequer.

Finding No: 6

During Inquiry, it is observed that if the Tahsildar Devipatnam, SDC (LA) PIP LMC Unit-1 and Special Collector (LA) and their staff should have conducted verification as the procedure they would have prevented for resumption of said per assigned lands But all the facts revealed that the entire instant was happened with be collusion of Revenue officials i.e. Tahsidar Devipatnam and revenue staff, SPC(LA) LMC Unit-1 and the staff and staff of the 0/0 Special Collector and they are liable for disciplinary action.

It is also submitted that the amounts Rs.2.24,55,000/- was made wrong payment to the ineligible persons shall be recoverable under RR Act from the fake assignees through the Revenue Department by invoking RR Act provisions. If the amount is not possible to recover the fake assignees they shall be recovered from the officers who are held responsible for payment of ex-gratia to the ineligible fake assignees.

Upon issuance of Show cause notice, the, Special Collector, Land Acquisition has failed to depose the facts related to this case and has submitted that the compensation was paid to the beneficiaries without even verifying the genuineness of the D-Patta and the Webland, Revenue Records, thereby deviating from the departmental norms, rules and procedures.

After careful examination of the above facts and Civil Conduct rules it is submitted that under Rule 3 of Civil conduct rules states that "Every Government hall maintain devoting to duty and de nothing which is unbecoming of a Government servant and maintain high ethical standards and honesty". The Inquiry officer opined that in order to restrict these kinds of complaints and ensure to provide fair administration to public from the Revenue department, there is a dire necessary to initiate departmental disciplinary action

The Inquiry officer has requested to initiate departmental disciplinary action against the officers responsible le, Tahsildar, Devipatnam Village Revenue Officer, Chinaramanayyapeta. Mandal Revenue Inspector, Devipatnam on the charges of involving in financial misappropriation, tampering with Official records, Willful negligence in discharging their legitimate duties which also attracts penal action under IPC.

R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRIMADAKAM LAKSHMANARAO, MANDAL SURVEYOR, TAHSILDAR'S OFFICE DEVIPATNAM MANDAL AND PRESENTLY WORKING AS MANDAL SURVEYOR O/O TAHSILDAR, DEVIPATNAM MANDAL.

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1. Complaint petition filed by Sri MullaMarrireddy and others. dt -nil-

2. Rc No. 111/2022/(E), dt. 09.05 2022 of the Project Administrator & Ex-officio on 14 05.2022 Joint Collector, PIP., Rajamahendravaram received

3.Further report received in Rc. No. 111/2022/(E), dt 20.05.2022 of the Project Administrator & Ex-officio Joint Collector, PIP., Rajamahendravaram.

R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI MADAKAM LAKSHMANARAO, MANDAL SURVEYOR, TAHSILDAR'S OFFICE. DEVIPATNAM MANDAL AND PRESENTLY WORKING AS MANDAL SURVEYOR. O/O TAHSILDAR DEVIPATNAM ARE PROPOSED TO BE SUSTAINED.

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R.P. SISODIA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS, R&S)

//FORWARDED::BY ORDER//

SECTION OFFICER